

PS 8
(5/05)

**UNITED STATES DISTRICT COURT
for the
DISTRICT OF MASSACHUSETTS**

United States of America

vs.

Stephan Darosa

Docket No.#04-10307-01

PETITION FOR ACTION ON CONDITIONS OF PRETRIAL RELEASE

The undersigned Pretrial Services Officer presents this report regarding defendant Stephen Darosa, who was released on bail by the Honorable Robert B. Collings, on August 18, 2005, under the following conditions:

1. House arrest w/ electronic monitoring.
2. Third party custody to parents Idilia and Alberto Darosa.
3. Maintain residence 28 Clearance St. Brockton, MA.
4. Do not possess/use any illegal narcotics.
5. Do not possess any firearms or destructive devices.
6. Refrain from excessive use of alcohol.
7. Submit to random drug testing.
8. Surrender Passport and do not apply for another.
9. Notify Pretrial Services w/in 24 hours of any new arrests.
10. Statutory conditions.

And respectfully seeks action by the Court for violations that include:

(Please refer to attached violation memorandum)

Petition for Action on Conditions of Pretrial Release

PRAYING THE COURT WILL:

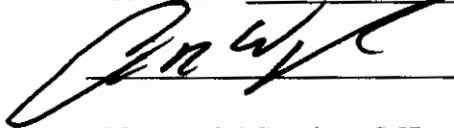
 X Issue a Warrant

 Issue a Summons for the defendant to appear for a show cause hearing

 Other:

I declare under the penalty of perjury that the foregoing is true and correct.

Executed on November 21, 2005 Place Boston, Massachusetts

 Date 11/21/05

U.S. Pretrial Services Officer

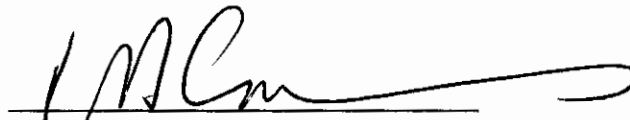
ORDER OF COURT

☒ Warrant to Issue

 Summons to issue. Clerk to schedule show cause hearing.

 Other:

Considered and ordered this 21 day of Nov, 2005, and ordered filed
and made part of the record in the above case.


Judicial Officer



MEMORANDUM

To: Honorable Robert B. Collings U.S. Magistrate Judge
From: Christopher Wylie, Electronic Monitoring Specialist
Re: Darosa, Stephen
CR# 04-10307
Date: November 21, 2005

This memorandum is being submitted to advise Your Honor that Mr. Darosa violated his electronic monitoring conditions by leaving his residence without permission and being arrested for Possession with Intent to Distribute Cocaine and Possession of a Firearm.

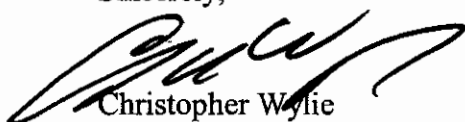
As Your Honor is aware Mr. Darosa was released on conditions including electronic monitoring on August 18, 2005.

On November 17, 2005, this officer received a page from BI Monitoring Co. indicating that Mr. Darosa left his residence at 9:57 p.m. and Mr. Darosa returned at 10:27 p.m. Mr. Darosa stated that he was downstairs.

On November 19, 2005, Mr. Darosa was arrested by the Brockton Police Department at 7:40 a.m. for Possession With Intent to Distribute Cocaine, Possession with Intent to Distribute Marijuana, Possession of a 44 Magnum hand gun. (Please see attached police report).

Mr. Darosa is currently in custody and this officer respectfully request that a warrant be issued for his arrest.

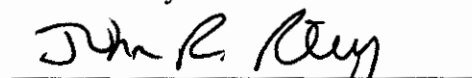
Sincerely,

A handwritten signature in black ink, appearing to read "Chris Wylie", written over the printed name.

Christopher Wylie
Electronic Monitoring Specialist

CC: Paul Moore, AUSA
Eugene P. McCann, Esq.

Reviewed by :

A handwritten signature in black ink, appearing to read "John R. Riley", written over the printed name.

John R. Riley,
Chief U.S. Pretrial Services Officer

Offense/Incident		Case No.	
TRAFF IN CS A OR B		05014352	
BROCKTON POLICE DEPARTMENT ARREST REPORT			
Offense Date and Time	Day	Arrest Date and Time	Day
11/19/2005 07:40	Sat	11/19/2005 07:40	Sat
Domestic Violence?			
NO			
Location of Offense	Apt	Sector	Wrd
28/CLARENCE ST	1	NW	7
Arresting Officer		Prec	
KEATING THOMAS		7D	
Defendant's Name	Sex	Race	Hgt
DAROSA STEPHEN	J	M	B
D.O.B.		A/U	
09/03/1985		ADULT	
Defendant's Address	Social Security No.		
28/CLARENCE ST 1ST BROCKTON M	011723327		
Offense(s) Charged	A	B	C
TRAFF IN CS A OR B	DRUGS W/SCH'L ZONE	UNL POSS INT/DIS D	
	D	E	F
UNL POSS AMMUNITIO	UNL POSS FIREARM	UNL POSS INT/DIS B	
Weapon(s) Used	Location of Arrest		
	28/CLARENCE ST		
Co-Defendant	Address		D.O.B.
DAROSA JAMES	A 28/CLARENCE ST #1 BROCKTON MA		04/26/1984
Type of Property	Make	Model	Color 1
DRUGS/ILLICIT	M		WHI
			Color 2
			Value
			\$
Witness 1	Sex	Race	D.O.B.
KEATING THOMAS	M	W	
Residence Address	Res Telephone		Bus Telephone
BPD			
Witness 2	Sex	Race	D.O.B.
MORRISSEY ROBERT	M	W	
Residence Address	Res Telephone		Bus Telephone
BPD			
Narrative:			
1 ! WITNESSES- SGT O'CONNELL/ DET COSTELLO/ DET STANTON/ TRP SGT KIELY/			
2 ! TRP MCCARTHY/ TRP WALLS/ TRP TELSFORD/ TRP JACKSON/ TRP ARRYYO/			
3 ! TRP LEVANCIE/ TRP BOYLE/ TRP BUCKLEY.			
4 !			
5 ! ON THE ABOVE DATE AND TIME ABOVE OFFICERS UNDER THE DIRECTION OF			
6 ! SGT O'CONNELL EXECUTED A SEARCH WARRANT AT 28/CLARENCE ST, FIRST			
7 ! FLOOR AND BASEMENT. AT THIS TIME ABOVE OFFICERS APPROACHED THE FIRST			
8 ! FLOOR APARTMENT DOOR. DET KEATING KNOCKED AND ANNOUNCED "BROCKTON			
9 ! POLICE" SEARCH WARRANT". THE OFFICERS WAITED, WITH NO RESPONSE, DET			
10 ! KEATING FORCED THE DOOR OPEN WITH THE BATTERING RAM. AT THIS TIME			
11 ! THE TWO DEF'S WERE SECURED IN THE BASEMENT (DONE OVER INTO AN LIVING			

Offense/Incident

Case No.

TRAFF IN CS A OR B

BROCKTON POLICE DEPARTMENT
ARREST REPORT

05014357

ARRANGEMENTS), DEF STEPHEN DAROSA WAS SECURED SLEEPING ON A COUCH, WHILE JAMES DAROSA WAS SLEEPING IN THE BEDROOM. WITH BOTH DEF'S SECURED, SGT O'CONNELL ADVISED EVERYONE IN THE FIRST FLOOR APARTMENT, AND BASEMENT OF THE SEARCH WARRANT. SGT O'CONNEL THEN ADVISED BOTH DEF'S OF THEIR RIGHTS PER MIRANDA, BOTH DEF'S STATED THEY "UNDERSTOOD THEIR RIGHTS". AT THIS TIME A SEARCH OF THE FIRST FLOOR AND THE BASEMENT WAS CONDUCTED.

FOUND IN THE BASEMENT LIVING AREA- BY SGT KIELY WAS A TOTAL OF \$2650 U.S. CURRENCY IN A PAIR OF MEN'S PANTS BELONGING TO STEPHEN DAROSA NEXT TO THE COUCH STEPHEN DAROSA WAS SLEEPING. THE MONEY WAS FOUND IN THREE DIFFERENT POCKETS OF THE PANTS, IN ONE POCKET THERE WAS \$2047, ANOTHER POCKET WAS \$516, AND THE THIRD POCKET WAS \$ 87 U.S. CURRENCY.

FOUND BY TRP WALLS- TUCKED UNDER A CUSHION ON THE COUCH THAT STEPHEN DAROSA WAS SLEEPING WAS TWO CLEAR PLASTIC BAGS OF A WHITE POWDER. ONE BAG WAS 62.5 GMS AND THE OTHER WEIGHING 1.7GM. TESTED AS COCAINE. -FOUND BY DET STANTON- PAPERWORK BELONGING TO BOTH STEPHEN AND JAMES DAROSA IN THE BASEMENT. FOUND IN THE BEDROOM WAS A FEDEX ENVELOPE AND AN ATTORNEY'S PAPERWORK ADDRESSED TO STEPHEN DAROSA ON THE HEAD BOARD OF THE BED. ALSO FOUND IN THE BEDROOM ON THE BUREAU ADDRESSED TO JAMES DAROSA WAS THREE ENVELOPES. AND FOUND IN THE LIVINGROOM WHERE STEPHEN DAROSA ON A BUREAU WHERE STEPHEN DAROSA WAS SLEEPING ON THE COUCH WAS A PIECE OF MAIL BELONGING TO JAMES DAROSA. ON THE BUREAU WAS 2 SCALES WITH BAGS AND A PAIR OF SCISSORS, BY STANTON IN THE BEDROOM -FOUND BY COSTELLO- A SHOE BOX CONTAINING TWO CLEAR BAGS, ONE OF THE BAGS CONTAINED 28 SMALL ZIP-LOCK OF A GREENISH HERB SUBSTANCE, AND THE OTHER BAG CONTAINED 9 GRAMS OF A GREENISH HERB SUBSTANCE. ALSO PAPERWORK FOR JAMES AND STEPHEN DAROSA WAS IN THE SHOE BOX WITH THE GREEN HERB, ALSO IN THE SHOE BOX WAS A RITE WEIGH DIGITAL SCALE, AND EMPTY PLASTIC BAGS.

-FOUND BY TRP LEVANGIE UNDER THE BED THAT JAMES DAROSA WAS SLEEPING ON WAS A 44 MAGNUM HANDGUN LOADED WITH 6 ROUNDS AND A HOLSTER NEXT TO THE GUN, AND EMPTY GALLON BAGS WITH GREEN HERB RESIDUE.

-MORRISSEY- FOUND A SMALLER BAG OF A OFF WHITE HARD ROCK LIKE SUBSTANCE IN THE BEDROOM ON A SHELF. THIS BAG CONTAINED 29 INDIVIDUAL BITS WEIGHING OUT TO 8.5 GRAMS.

-TELSFORD FOUND TWO CELLPHONES ON A TABLE NEXT TO THE COUCH WHERE STEPHEN DAROSA WAS SLEEPING.

-TRP ARROYO FOUND A SMALL BAG OF A GREENISH HERB SUBSTANCE IN A BEDROOM ON THE FIRST FLOOR.

DET STANTON MEASURED THE DISTANCE BETWEEN 28 CLARENCE ST AND THE SOUTH SHORE CHRISTIAN SCHOOL AT 899 NORTH MAIN ST. THE MEASUREMENT WAS 183 FEET.

TOTAL WEIGHT OF THE COCAINE WAS 72.7 GRAMS

TOTAL WEIGHT OF THE MARIJUANA 44 GRAMS

STEPHEN DAROSA AT THE TIME OF THE SEARCH WARRANT WAS UNDER HOUSE ARREST, BEING MONITORED BY AN ANKLE BRACELET BY FEDERAL GOVERNMENT.

Offense/Incident	BROCKTON POLICE DEPARTMENT	Case No.
TRAFF IN CS A OR B	ARREST REPORT	05014352
Signed under the pains & penalties of perjury. (Arresting Officer Signature)		
Report Date	Supervisors Signature	